

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

JEREMY KARG, MATTHEW R.
LAMARCHE, CYNTHIA K. MARSHALL,
SHIRLEY RHODES, and JEANINE E. VEGA,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

TRANSAMERICA CORPORATION;
TRUSTEES OF THE AEGON USA, INC.
PROFIT SHARING TRUST; and DOES 1–40;

Defendants.

Case No. 1:18-cv-00134-CJW-KEM

**UNRESISTED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Judge: Hon. C.J. Williams

Magistrate: Hon. Kelly Mahoney

**PLAINTIFFS' UNRESISTED MOTION¹ FOR ENTRY OF PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs Jeremy Karg, Matthew R. Lamarche, Cynthia K. Marshall, Shirley Rhodes, and Jeanine E. Vega (“Plaintiffs”), now move the Court to enter an order preliminarily approving the Class Action Settlement reached by the Parties to resolve the class claims.

In support of this motion, Plaintiffs rely upon the accompanying Memorandum of Law in Support of Plaintiffs’ Unresisted Motion for Entry of Preliminary Approval Order; the Declarations of counsel Charles Field and Plaintiffs in Support of Plaintiffs’ Unresisted Motion

¹ This motion is unresisted by Defendants in all respects except for (1) Class Counsel’s estimated value of the Non-Monetary Relief provided for in the Settlement and (2) the total fees, expenses, and incentive awards Class Counsel intends to seek in its Fee and Expense Application, both of which are detailed in the accompanying Memorandum of Law in support of this Motion. As noted in the parties’ Settlement Agreement, Defendants have reserved the right to oppose Class Counsel’s Fee and Expense Application.

for Preliminary Approval Order; the Class Action Settlement Agreement; and all other records, pleadings, and papers on file in this action.

Plaintiffs respectfully request that the Court enter an order:

1. Granting preliminary approval of the settlement;
2. Enjoining class members from pursuing any claims that arise out of or relate in any way to the claims at issue in this action pending final approval of the settlement;
3. Directing notice to class members and approving the plan and the form of notice;
4. Directing a procedure for any class member to make a comment in support or in opposition to the Settlement Agreement;
5. Appointing Analytics Consulting LLC as Settlement Administrator and Escrow Agent;
6. Scheduling a Fairness Hearing; and
7. Scheduling a Hearing on Class Counsel's application for fees and costs and the payment of service awards.

Dated: June 23, 2021

/s/ J. Barton Goplerud

J. Barton Goplerud (Iowa Bar # AT0002983)

Brandon M. Bohlman (Iowa Bar # AT0011668)

Brian O. Marty (Iowa Bar # AT0011622)

SHINDLER, ANDERSON, GOPLERUD & WEESE, PC

5015 Grand Ridge Drive, Suite 100

West Des Moines, Iowa 50265

Telephone: (515) 223-4567

Facsimile: (515) 223-8887

goplerud@sagwlaw.com

bohlman@sagwlaw.com

marty@sagwlaw.com

*Charles H. Field

SANFORD HEISLER SHARP, LLP

655 West Broadway, Suite 1700

San Diego, CA 92101

Telephone: (619) 577-4252

Facsimile: (619) 577-4250

cfield@sanfordheisler.com

*Kevin Sharp
SANFORD HEISLER SHARP, LLP
611 Commerce Street, Suite 3100
Nashville, TN 37203
Telephone: (615) 434-7000
Facsimile: (615) 434-7020
ksharp@sanfordheisler.com

*Robert Van Someren Greve
*Shaun Rosenthal
SANFORD HEISLER SHARP, LLP
700 Pennsylvania Avenue SE, Suite 300
Washington, DC 20003
Telephone: (202) 499-5200
Facsimile: (202) 499-5199
rvansomerengreve@sanfordheisler.com
srosenthal@sanfordheisler.com

**Admitted pro hac vice*

